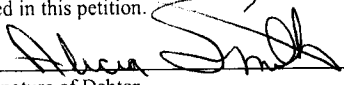
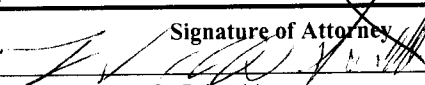
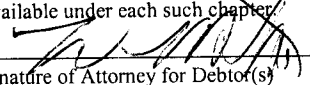


11070379

|   |  |   |  |
|---|--|---|--|
| <b>FORM B1</b> <b>United States Bankruptcy Court</b><br><b>WESTERN District of New York</b>   |  | <b>Voluntary Petition</b>   |  |
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>SMITH, ALICIA</b>  |  | Name of Joint Debtor (Spouse)(Last, First, Middle):   |  |
| All Other Names used by the Debtor in the last 6 years<br>(include married, maiden, and trade names):<br><b>ALICIA SPELL</b>  |  | All Other Names used by the Joint Debtor in the last 6 years<br>(include married, maiden, and trade names):   |  |
| Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No.<br>(if more than one, state all):<br><b>2429</b>   |  | Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if<br>more than one, state all):  |  |
| Street Address of Debtor (No. & Street, City, State & Zip Code):<br><b>18 SOBIESKI STREET</b><br><b>BUFFALO, NEW YORK 14212</b>   |  | Street Address of Joint Debtor (No. & Street, City, State & Zip Code):  |  |
| County of Residence or of the<br>Principal Place of Business: <b>ERIE</b>   |  | County of Residence or of the<br>Principal Place of Business:   |  |
| Mailing Address of Debtor (if different from street address):   |  | Mailing Address of Joint Debtor (if different from street address):   |  |
| Location of Principal Assets of Business Debtor<br>(if different from street address above):  |  |   |  |
| <div style="font-size: 2em; font-family: cursive;">04-10321</div>   |  |   |  |
| <b>Information Regarding the Debtor (Check the Applicable Boxes)</b>  |  |   |  |
| <b>Venue</b> (Check any applicable box)   |  |   |  |
| <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  |  |   |  |
| <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  |  |   |  |
| <b>Type of Debtor</b> (Check all boxes that apply)  |  | <b>Chapter or Section of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  |  |
| <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad<br><input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank |  | <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12<br><input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding   |  |
| <b>Nature of Debts</b> (Check one box)  |  | <b>Filing Fee</b> (Check one box)   |  |
| <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business   |  | <input checked="" type="checkbox"/> Full Filing Fee Attached<br><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only)<br>Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments.<br>Rule 1006(b). See Official Form No. 3.   |  |
| <b>Chapter 11 Small Business</b> (Check all boxes that apply)   |  | <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> <b>FILED</b><br/>         2004 JAN 16 PM 2:43<br/>         U.S. BANKRUPTCY COURT<br/>         WESTERN DISTRICT OF NEW YORK       </div>   |  |
| <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101<br><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)   |  |   |  |
| <b>Statistical/Administrative Information</b> (Estimates only)  |  |   |  |
| <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.   |  |   |  |
| Estimated Number of Creditors   |  | 1-15      16-49      50-99      100-199      200-999      1000-over<br><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>   |  |
| Estimated Assets  |  | \$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million<br><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |  |
| Estimated Debts   |  | \$0 to \$50,000      \$50,001 to \$100,000      \$100,001 to \$500,000      \$500,001 to \$1 million      \$1,000,001 to \$10 million      \$10,000,001 to \$50 million      \$50,000,001 to \$100 million      More than \$100 million<br><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |  |

(Official Form 1) (12/03)

|   |               |  |  |
|---|---------------|--|--|
| <b>Voluntary Petition</b><br><i>(This page must be completed and filed in every case)</i>   |               | Name of Debtor(s): <b>ALICIA SMITH</b>   |  |
| <b>Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)</b>  |               |  |  |
| Location<br>Where Filed: <b>NONE</b>  | Case Number:  | Date Filed:  |  |
| <b>Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)</b>   |               |  |  |
| Name of Debtor:<br><b>NONE</b>  | Case Number:  | Date Filed:  |  |
| District:   | Relationship: | Judge:   |  |
| <b>Signatures</b>   |               |  |  |
| <p style="text-align: center;"><b>Signature(s) of Debtor(s) (Individual/Joint)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct.<br/>[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.<br/>I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <u></u><br/>Signature of Debtor</p> <p>X <b>Not Applicable</b><br/>Signature of Joint Debtor</p> <p>_____<br/>Telephone Number (If not represented by attorney)</p> <p>_____<br/>Date</p> |               | <p style="text-align: center;"><b>Exhibit A</b></p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)</p> <p><input type="checkbox"/> Exhibit A is attached and made a part of this petition.</p>   |  |
| <p style="text-align: center;"><b>Signature of Attorney</b></p> <p>X <u></u><br/>Signature of Attorney for Debtor(s)</p> <p>_____<br/>Printed Name of Attorney for Debtor(s) / Bar No.</p> <p><b>William D. Scott</b><br/>Firm Name<br/><b>410 Main Street Buffalo, NY 14202</b><br/>Address</p> <p>_____<br/><b>(716)854-8850</b> <b>852-7599</b><br/>Telephone Number</p> <p>_____<br/>Date</p>  |               | <p style="text-align: center;"><b>Exhibit B</b></p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.</p> <p>X <u></u> <u>1/22/04</u><br/>Signature of Attorney for Debtor(s) Date</p> |  |
| <p style="text-align: center;"><b>Signature of Debtor (Corporation/Partnership)</b></p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.<br/>The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <p>X <b>Not Applicable</b><br/>Signature of Authorized Individual</p> <p>_____<br/>Printed Name of Authorized Individual</p> <p>_____<br/>Title of Authorized Individual</p> <p>_____<br/>Date</p>  |               | <p style="text-align: center;"><b>Exhibit C</b></p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <p><input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition.<br/><input checked="" type="checkbox"/> No</p>  |  |
| <p style="text-align: center;"><b>Signature of Non-Attorney Petition Preparer</b></p> <p>I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.</p> <p><b>Not Applicable</b><br/>Printed Name of Bankruptcy Petition Preparer</p> <p>_____<br/>Social Security Number (Required by 11 U.S.C. § 110(c).)</p> <p>_____<br/>Address</p> <p>_____<br/>Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:</p> <p>If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.</p> <p>X <b>Not Applicable</b><br/>Signature of Bankruptcy Petition Preparer</p> <p>_____<br/>Date</p>  |               | <p>A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 1156.</p>   |  |

Case 1-04-10321-CLB, Doc 1, Filed 01/16/04, Entered 01/20/04 09:06:53

Description: Main Document , Page 2 of 34

**United States Bankruptcy Court**  
**WESTERN District of New York**

In re **ALICIA SMITH**

Case No.

Chapter **7**

## SUMMARY OF SCHEDULES

AMOUNTS SCHEDULED

| NAME OF SCHEDULE                                      | ATTACHED<br>(YES/NO) | NO. OF SHEETS | ASSETS      | LIABILITIES  | OTHER       |
|---|----------------------|---------------|-------------|--------------|-------------|
| A - Real Property                                     | YES                  | 1             | \$ 0.00     |              |             |
| B - Personal Property                                 | YES                  | 3             | \$ 1,270.00 |              |             |
| C - Property Claimed<br>as Exempt                     | YES                  | 1             |             |              |             |
| D - Creditors Holding<br>Secured Claims               | YES                  | 1             |             | \$ 0.00      |             |
| E - Creditors Holding Unsecured<br>Priority Claims    | YES                  | 2             |             | \$ 0.00      |             |
| F - Creditors Holding Unsecured<br>Nonpriority Claims | YES                  | 4             |             | \$ 21,542.76 |             |
| G - Executory Contracts and<br>Unexpired Leases       | YES                  | 1             |             |              |             |
| H - Codebtors   | YES                  | 1             |             |              |             |
| I - Current Income of<br>Individual Debtor(s)         | YES                  | 1             |             |              | \$ 1,719.00 |
| J - Current Expenditures of<br>Individual Debtor(s)   | YES                  | 1             |             |              | \$ 1,031.00 |
| Total Number of sheets<br>in ALL Schedules >          |                      | 16            |             |              |             |
| Total Assets >  |                      |               | \$ 1,270.00 |              |             |
| Total Liabilities >                                   |                      |               |             | \$ 21,542.76 |             |

In re: **ALICIA SMITH**  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE A - REAL PROPERTY

| DESCRIPTION AND<br>LOCATION OF<br>PROPERTY | NATURE OF DEBTOR'S<br>INTEREST IN PROPERTY | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT<br>MARKET VALUE<br>OF DEBTOR'S<br>INTEREST IN<br>PROPERTY WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION | AMOUNT OF<br>SECURED<br>CLAIM |
|--|--|--------------------------------------|---|-------------------------------|
| Total >                                    |  |                                      | 0.00  |                               |

(Report also on Summary of Schedules.)

In re **ALICIA SMITH**

Debtor

Case No.

(If known)

## SCHEDULE B - PERSONAL PROPERTY

| TYPE OF PROPERTY   | NONE | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|------|--------------------------------------|-----------------------------------|---|
| 1. Cash on hand  |      | 20                                   |                                   | 20.00   |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives. |      | 250                                  |                                   | 250.00  |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.  | X    |                                      |                                   |   |
| 4. Household goods and furnishings, including audio, video, and computer equipment.  |      | 1,000                                |                                   | 1,000.00  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | X    |                                      |                                   |   |
| 6. Wearing apparel.  | X    |                                      |                                   |   |
| 7. Furs and jewelry.   | X    |                                      |                                   |   |
| 8. Firearms and sports, photographic, and other hobby equipment.   | X    |                                      |                                   |   |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   | X    |                                      |                                   |   |
| 10. Annuities. Itemize and name each issuer.   | X    |                                      |                                   |   |
| 11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.   | X    |                                      |                                   |   |
| 12. Stock and interests in incorporated and unincorporated businesses. Itemize.  | X    |                                      |                                   |   |
| 13. Interests in partnerships or joint ventures. Itemize.  | X    |                                      |                                   |   |
| 14. Government and corporate bonds and other negotiable and nonnegotiable instruments.   | X    |                                      |                                   |   |

In re **ALICIA SMITH**

Debtor

Case No.

(If known)

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| TYPE OF PROPERTY   | NONE                                | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|-------------------------------------|--------------------------------------|-----------------------------------|---|
| 15. Accounts receivable.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 17. Other liquidated debts owing debtor including tax refunds. Give particulars.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.        | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each. | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 21. Patents, copyrights, and other intellectual property. Give particulars.  | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 22. Licenses, franchises, and other general intangibles. Give particulars.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 23. Automobiles, trucks, trailers, and other vehicles and accessories.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 24. Boats, motors, and accessories.  | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 25. Aircraft and accessories.  | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 26. Office equipment, furnishings, and supplies.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 27. Machinery, fixtures, equipment and supplies used in business.  | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 28. Inventory.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 29. Animals.   | <input checked="" type="checkbox"/> |                                      |                                   |   |
| 30. Crops - growing or harvested. Give particulars.  | <input checked="" type="checkbox"/> |                                      |                                   |   |

In re **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

| TYPE OF PROPERTY   | NONE | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|------|--------------------------------------|-----------------------------------|---|
| 31. Farming equipment and implements.                                | X    |                                      |                                   |   |
| 32. Farm supplies, chemicals, and feed.                              | X    |                                      |                                   |   |
| 33. Other personal property of any kind not already listed. Itemize. | X    |                                      |                                   |   |
| 2 continuation sheets attached                                       |      |                                      |                                   | Total \$ 1,270.00   |

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re **ALICIA SMITH**

Case No. \_\_\_\_\_

Debtor.

(If known)

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemption to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(b)(1)Exemptions provided in 11 U.S.C. § 522(d). **Note: These exemptions are available only in certain states.**☒ 11 U.S.C. § 522(b)(2)

Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

| DESCRIPTION OF PROPERTY | SPECIFY LAW PROVIDING EACH EXEMPTION | VALUE OF CLAIMED EXEMPTION | CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS |
|-------------------------|--------------------------------------|----------------------------|--|
| 1,000                   | CPLR § 5205(a)(5)                    | 0.00                       | 1,000.00   |
| 20                      | Debt. & Cred. Law § 283              | 20.00                      | 20.00  |
| 250                     | Debt. & Cred. Law § 283              | 250.00                     | 250.00   |



In re: **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☒ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions, above.) | CODEBTR | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED,<br>NATURE OF LIEN, AND<br>DESCRIPTION AND MARKET<br>VALUE OF PROPERTY<br>SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF CLAIM<br>WITHOUT<br>DEDUCTING<br>VALUE OF<br>COLLATERAL | UNSECURED<br>PORTION,<br>IF ANY |
|--|---------|--------------------------------------|---|------------|--------------|----------|--|---------------------------------|
| ACCOUNT NO.  |         |                                      |   |            |              |          |  |                                 |
|  |         |                                      | VALUE _____   |            |              |          |  |                                 |

☐ Continuation sheets attached

Subtotal >  
(Total of this page)  
Total >  
(Use only on last page)

|        |
|--------|
| \$0.00 |
| \$0.00 |

(Report total also on Summary of Schedules)

In re **ALICIA SMITH**  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

**TYPES OF PRIORITY CLAIMS** (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,650\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,100\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Other Priority Debts**

\* Amounts are subject to adjustment on April 1, 2004, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

In re **ALICIA SMITH**  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions.) | CODEBTOR | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS<br>INCURRED AND CONSIDERATION<br>FOR CLAIM | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF CLAIM | AMOUNT<br>ENTITLED<br>TO<br>PRIORITY |
|---|----------|--------------------------------------|---|------------|--------------|----------|--------------------|--------------------------------------|
| ACCOUNT NO.   |          |                                      |   |            |              |          |                    |                                      |

Sheet no. 1 of 1 sheets attached to Schedule of Creditors Holding Priority Claims

Subtotal  
(Total of this page)

Total

(Use only on last page of the completed Schedule E.)

(Report total also on Summary of Schedules)

|        |
|--------|
| \$0.00 |
| \$0.00 |

In re **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions, above.)                              | CODEBTR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED<br>AND CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM |
|---|---|---|------------|--------------|----------|--------------------|
| ACCOUNT NO. <b>01658268508066</b><br><br><b>ADELPHIA</b><br><b>PO BOX 371449</b><br><b>PITTSBURGH PA 15250</b>                              |   | <b>2003</b>   |            |              |          | <b>386.00</b>      |
| ACCOUNT NO. <b>7168922517</b><br><br><b>AT&amp;T</b><br><b>PO BOX 8212</b><br><b>AURORA IL 60572</b>  |   | <b>2001</b>   |            |              |          | <b>350.00</b>      |
| ACCOUNT NO. <b>5458002406242752</b><br><br><b>DIRECT MERCHANTS BANK</b><br><b>PO BOX 21550</b><br><b>TULSA OK 74121</b>                     |   | <b>2002</b>   |            |              |          | <b>2,668.00</b>    |
| ACCOUNT NO. <b>00102207</b><br><br><b>ERIE COUNTY SOC SERVICES</b><br><b>NIAGARA SQ STA</b><br><b>PO BOX 333</b><br><b>BUFFALO NY 14201</b> |   | <b>2000</b>   |            |              |          | <b>6,086.00</b>    |
| ACCOUNT NO. <b>1HB39</b><br><br><b>MCI</b><br><b>ATT'N:MCO AURORA</b><br><b>13900 E HARVARD AVE STE 310</b><br><b>AURORA, CO 80014</b>      |   | <b>1998</b>   |            |              |          | <b>135.95</b>      |

**3** Continuation sheets attached

Subtotal &gt;

**\$9,625.95**

Total &gt;

In re **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions, above.)   | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED<br>AND CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM |
|--|--|---|------------|--------------|----------|--------------------|
| ACCOUNT NO. <b>47284420211</b><br><br><b>NATIONAL FUEL GAS</b><br><b>10 LAFAYETTE SQ</b><br><b>BUFFALO NY 14203</b>                                    |  | 2003  |            |              |          | 35.61              |
| ACCOUNT NO. <b>4121376843143686</b><br><br><b>PROVIDIAN</b><br><b>PO BOX 660548</b><br><b>DALLAS, TX 75266</b>   |  | 2001  |            |              |          | 722.75             |
| ACCOUNT NO. <b>926255873490</b><br><br><b>RETAILERS</b><br><i>PO BOX 59231</i><br><i>MINNEAPOLIS, MN <del>55459</del></i><br><i>55459</i>              |  | 2002  |            |              |          | 571.51             |
| ACCOUNT NO. <b>1150141343188</b><br><br><b>SEARS PREMIER CARD</b><br><b>PO BOX 182149</b><br><b>COLUMBUS, OH 43218-2149</b>                            |  | 2002  |            |              |          | 1,005.69           |
| ACCOUNT NO. <b>074542429 SU0984</b><br><br><b>STATE OF NEW YORK</b><br><b>OFC OF THE ATT'Y GENERAL</b><br><b>THE CAPITOL</b><br><b>ALBANY NY 12224</b> |  | 2003  |            |              |          | 2,002.82           |

Sheet no. 1 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

**\$4,338.38**

In re **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions, above.)               | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS INCURRED<br>AND CONSIDERATION FOR CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM |
|--|--|---|------------|--------------|----------|--------------------|
| ACCOUNT NO. <b>074542429</b><br><br><b>US DEPT OF EDUCATION<br/>DIRECT LOAN SVCNG CTR<br/>PO BOX 4609<br/>UTICA NY 13504</b> |  | <b>1981</b>   |            |              |          | <b>6,178.00</b>    |
| ACCOUNT NO. <b>205264</b><br><br><b>VERIZON<br/>ATT'N: BANKRUPTCY<br/>PO BOX 6360<br/>SYRACUSE, NY 13217</b>                 |  | <b>1998</b>   |            |              |          | <b>140.31</b>      |

Sheet no. 2 of 3 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal  
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

**\$6,318.31**

(Report also on Summary of Schedules)

In re:

Debtor(s)

Case No.

(if known)

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE                             | CODE | H<br>W<br>J<br>C | DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE. | C<br>U<br>D<br>.. | AMOUNT OF CLAIM |
|--|------|------------------|---|-------------------|-----------------|
| A/C #  |      |                  |   |                   |                 |
| Belmont Shelter Corp.<br>1195 Main Street<br>Buffalo, NY 14209                     |      |                  | 2002  |                   | 905.00          |
| A/C #  |      |                  |   |                   |                 |
| Family Circle - NSA<br>751 Summa Ave<br>Westbury, NY 11590                         |      |                  | 2003  |                   | 12.00           |
| A/C #  |      |                  |   |                   |                 |
| HCI Direct-RMCB<br>2269 South Sawmill River Rd<br>Building 3<br>Elmsford, NY 10523 |      |                  | 2002  |                   | 21.12           |
| A/C #  |      |                  |   |                   |                 |
| Niagara Mohawk<br>PO Box 5300<br>Syracuse, NY 13250                                |      |                  | 2002  |                   | 322.00          |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| A/C #  |      |                  |   |                   |                 |
|  |      |                  |   |                   |                 |
| Subtotal -> (Total of this page)   |      |                  |   |                   | \$ 1,260.12     |
| Total ->   |      |                  |   |                   | \$ 21,542.76    |

3 of 3 Continuation Sheets attached.

\* If husband, enter H; if wife, enter W; if joint enter J, if community, enter C.

\*\* If contingent, enter C; if unliquidated, enter U; if disputed, enter D.

Case 1:04-10321-CLB Doc 1 Filed 01/16/04 Entered 01/20/04 09:06:53

Description: Main Document , Page 15 of 34

In re: ALICIA SMITH

Case No. \_\_\_\_\_

Debtor

(If known)

**SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**☒ Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE,<br>OF OTHER PARTIES TO LEASE OR CONTRACT. | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF<br>DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR<br>NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT<br>NUMBER OF ANY GOVERNMENT CONTRACT. |
|---|---|
|   |   |



In re: **ALICIA SMITH**

Debtor

Case No. \_\_\_\_\_

(If known)

**SCHEDULE H - CODEBTORS**☒ Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|------------------------------|------------------------------|
|------------------------------|------------------------------|

In re **ALICIA SMITH**, Case No. \_\_\_\_\_  
Debtor (If known)

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

|   |  |           |
|---|--|-----------|
| Debtor's Marital Status: <b>MARRIED</b> | DEPENDENTS OF DEBTOR AND SPOUSE                    |           |
| Debtor's Age:                           | RELATIONSHIP                                       | AGE       |
| Spouse's Age:                           | <b>SON</b>   | <b>19</b> |
| EMPLOYMENT: DEBTOR                      |  | SPOUSE    |
| Occupation                              | <b>IN HOME CARE</b>                                |           |
| Name of Employer                        | <b>VENTURE FORTHE &amp; CO</b>                     |           |
| How long employed                       | <b>1 YR</b>  |           |
| Address of Employer                     | <b>3000 MILITARY RD<br/>NIAGARA FALLS NY 14304</b> |           |

Income: (Estimate of average monthly income)

Current monthly gross wages, salary, and commissions  
(pro rate if not paid monthly.)

Estimated monthly overtime

SUBTOTAL

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify) \_\_\_\_\_

SUBTOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

Regular income from operation of business or profession or farm  
(attach detailed statement) **BABY SITTING**

Income from real property

Interest and dividends

Alimony, maintenance or support payments payable to the debtor for the  
debtor's use or that of dependents listed above.

Social security or other government assistance  
(Specify) **300.00**

Pension or retirement income

Other monthly income

(Specify) \_\_\_\_\_

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY INCOME **\$ 1,719.00** (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document: **NONE**



In re: ALICIA SMITH  
Debtor

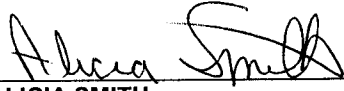
Case No. \_\_\_\_\_  
(If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 15  
(Total shown on summary page plus 1.)  
sheets plus the summary page, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 1-12-04

Signature:   
**ALICIA SMITH**

[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

UNITED STATES BANKRUPTCY COURT  
WESTERN District of New York

In re: **ALICIA SMITH**  
**2429**

Case No. \_\_\_\_\_  
Chapter **7**

**STATEMENT OF FINANCIAL AFFAIRS**

**1. Income from employment or operation of business**

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| AMOUNT        | SOURCE             | FISCAL YEAR PERIOD |
|---------------|--------------------|--------------------|
| <b>600.00</b> | <b>BABYSITTING</b> |                    |

**2. Income other than from employment or operation of business**

None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| AMOUNT | SOURCE | FISCAL YEAR PERIOD |
|--------|--------|--------------------|
|--------|--------|--------------------|

**3. Payments to creditors**

None ☒ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATES OF PAYMENTS | AMOUNT PAID | AMOUNT STILL OWING |
|------------------------------|-------------------|-------------|--------------------|
|------------------------------|-------------------|-------------|--------------------|

b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

| NAME AND ADDRESS OF CREDITOR<br>AND RELATIONSHIP TO DEBTOR | DATES OF<br>PAYMENTS | AMOUNT PAID | AMOUNT<br>STILL OWING |
|--|----------------------|-------------|-----------------------|
|--|----------------------|-------------|-----------------------|

---

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

☐

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT  
AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY  
AND LOCATION

STATUS OR  
DISPOSITION

STATE OF NEW YORK V. ALICIA UNPAID JUDGMENT  
SPELL  
074542429 SU0984

UNKNOWN

UNPAID

---

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

☒

NAME AND ADDRESS  
OF PERSON FOR WHOSE  
BENEFIT PROPERTY WAS SEIZED

DATE OF  
SEIZURE

DESCRIPTION  
AND VALUE OF  
PROPERTY

---

#### 5. Repossessions, foreclosures and returns

None

☒

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF CREDITOR OR SELLER

DATE OF REPOSSESSION,  
FORECLOSURE SALE  
TRANSFER OR RETURN

DESCRIPTION  
AND VALUE OF  
PROPERTY

---

#### 6. Assignments and receiverships

None

☒

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS  
OF ASSIGNEE

DATE OF  
ASSIGNMENT

TERMS OF  
ASSIGNMENT  
OR SETTLEMENT

---

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None

☒

| NAME AND ADDRESS<br>OF CUSTODIAN | NAME AND ADDRESS<br>OF COURT<br>CASE TITLE & NUMBER | DATE OF<br>ORDER | DESCRIPTION<br>AND VALUE OF<br>PROPERTY |
|----------------------------------|---|------------------|---|
|----------------------------------|---|------------------|---|

## 7. Gifts

None



List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF PERSON<br>OR ORGANIZATION | RELATIONSHIP<br>TO DEBTOR,<br>IF ANY | DATE<br>OF GIFT | DESCRIPTION<br>AND VALUE OF<br>GIFT |
|--|--------------------------------------|-----------------|-------------------------------------|
|--|--------------------------------------|-----------------|-------------------------------------|

## 8. Losses

None



List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| DESCRIPTION<br>AND VALUE OF<br>PROPERTY | DESCRIPTION OF CIRCUMSTANCES AND, IF<br>LOSS WAS COVERED IN WHOLE OR IN PART<br>BY INSURANCE, GIVE PARTICULARS | DATE OF<br>LOSS |
|---|--|-----------------|
|---|--|-----------------|

## 9. Payments related to debt counseling or bankruptcy

None



List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

| NAME AND ADDRESS<br>OF PAYEE                                 | DATE OF PAYMENT,<br>NAME OF PAYOR IF<br>OTHER THAN DEBTOR | AMOUNT OF MONEY OR<br>DESCRIPTION AND VALUE<br>OF PROPERTY |
|--|---|--|
| <b>WILLIAM D. SCOTT<br/>410 MAIN ST<br/>BUFFALO NY 14202</b> | <b>1/6/04</b>   | <b>800.00</b>  |

## 10. Other transfers

None



a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF TRANSFEREE,<br>RELATIONSHIP TO DEBTOR | DATE | DESCRIBE PROPERTY<br>TRANSFERRED<br>AND VALUE RECEIVED |
|---|------|--|
|---|------|--|

## 11. Closed financial accounts

None



List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF INSTITUTION | TYPE OF ACCOUNT, LAST FOUR<br>DIGITS OF ACCOUNT NUMBER,<br>AND AMOUNT OF FINAL BALANCE | AMOUNT AND<br>DATE OF SALE<br>OR CLOSING |
|------------------------------------|--|--|
|------------------------------------|--|--|

## 12. Safe deposit boxes

None



List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS<br>OF BANK OR<br>OTHER DEPOSITORY | NAMES AND ADDRESSES<br>OF THOSE WITH ACCESS<br>TO BOX OR DEPOSITORY | DESCRIPTION<br>OF<br>CONTENTS | DATE OF TRANSFER<br>OR SURRENDER,<br>IF ANY |
|--|---|-------------------------------|---|
|--|---|-------------------------------|---|

## 13. Setoffs

None



List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| NAME AND ADDRESS OF CREDITOR | DATE OF<br>SETOFF | AMOUNT OF<br>SETOFF |
|------------------------------|-------------------|---------------------|
|------------------------------|-------------------|---------------------|

## 14. Property held for another person

None



List all property owned by another person that the debtor holds or controls.

| NAME AND ADDRESS<br>OF OWNER | DESCRIPTION AND VALUE<br>OF PROPERTY | LOCATION OF PROPERTY |
|------------------------------|--------------------------------------|----------------------|
|------------------------------|--------------------------------------|----------------------|

## 15. Prior address of debtor

None



If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

| ADDRESS | NAME USED | DATES OF OCCUPANCY |
|---------|-----------|--------------------|
|---------|-----------|--------------------|

## 16. Spouses and Former Spouses



None



If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

---

## 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

---

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None



| SITE NAME AND ADDRESS | NAME AND ADDRESS OF GOVERNMENTAL UNIT | DATE OF NOTICE | ENVIRONMENTAL LAW |
|-----------------------|---------------------------------------|----------------|-------------------|
|-----------------------|---------------------------------------|----------------|-------------------|

---

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None



| SITE NAME AND ADDRESS | NAME AND ADDRESS OF GOVERNMENTAL UNIT | DATE OF NOTICE | ENVIRONMENTAL LAW |
|-----------------------|---------------------------------------|----------------|-------------------|
|-----------------------|---------------------------------------|----------------|-------------------|

---

- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None



| NAME AND ADDRESS OF GOVERNMENTAL UNIT | DOCKET NUMBER | STATUS OR DISPOSITION |
|---------------------------------------|---------------|-----------------------|
|---------------------------------------|---------------|-----------------------|

---

## 18. Nature, location and name of business

None



a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

| NAME | TAXPAYER<br>I.D. NUMBER | ADDRESS | NATURE OF BUSINESS | BEGINNING AND ENDING<br>DATES |
|------|-------------------------|---------|--------------------|-------------------------------|
|------|-------------------------|---------|--------------------|-------------------------------|

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None



NAME

ADDRESS

## 19. Books, records and financial statements

None



a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None



NAME AND ADDRESS

DATES SERVICES RENDERED

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None



NAME

ADDRESS

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

None



NAME AND ADDRESS

DATE ISSUED

## 20. Inventories

None



a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

| DATE OF INVENTORY | INVENTORY SUPERVISOR | DOLLAR AMOUNT OF INVENTORY<br>(Specify cost, market or other basis) |
|-------------------|----------------------|---|
|-------------------|----------------------|---|

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

None



| DATE OF INVENTORY | NAME AND ADDRESSES OF CUSTODIAN<br>OF INVENTORY RECORDS |
|-------------------|---|
|-------------------|---|

## 21. Current Partners, Officers, Directors and Shareholders

None



a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

| NAME AND ADDRESS | NATURE OF INTEREST | PERCENTAGE OF INTEREST |
|------------------|--------------------|------------------------|
|------------------|--------------------|------------------------|

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

None



| NAME AND ADDRESS | TITLE | NATURE AND PERCENTAGE<br>OF STOCK OWNERSHIP |
|------------------|-------|---|
|------------------|-------|---|

## 22. Former partners, officers, directors and shareholders

None



a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

| NAME | ADDRESS | DATE OF WITHDRAWAL |
|------|---------|--------------------|
|------|---------|--------------------|

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

None



| NAME AND ADDRESS | TITLE | DATE OF TERMINATION |
|------------------|-------|---------------------|
|------------------|-------|---------------------|

## 23. Withdrawals from a partnership or distributions by a corporation

None



If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

| NAME & ADDRESS<br>OF RECIPIENT,<br>RELATIONSHIP TO DEBTOR | DATE AND PURPOSE<br>OF WITHDRAWAL | AMOUNT OF MONEY<br>OR DESCRIPTION<br>AND VALUE OF PROPERTY |
|---|-----------------------------------|--|
|---|-----------------------------------|--|

NAME & ADDRESS  
OF RECIPIENT,  
RELATIONSHIP TO DEBTOR

DATE AND PURPOSE  
OF WITHDRAWAL

AMOUNT OF MONEY  
OR DESCRIPTION  
AND VALUE OF PROPERTY

---

## 24. Tax Consolidation Group.

None



If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six -year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER

---

## 25. Pension Funds.

None



If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER

---

\* \* \* \* \*

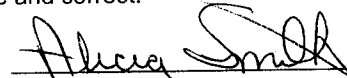
*[if completed by an individual or individual and spouse]*

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date

1-12-04

Signature  
of Debtor

  
ALICIA SMITH

UNITED STATES BANKRUPTCY COURT  
WESTERN District of New York

In re: **ALICIA SMITH**  
**2429**

Case No. \_\_\_\_\_  
Chapter **7**

**CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION**

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. *Property To Be Surrendered.*

Description of Property

Creditor's Name

**None**

b. *Property To Be Retained.*

*[Check any applicable statement.]*

| Description<br>of<br>Property | Creditor's<br>Name | Property<br>is claimed<br>as exempt | Property will<br>be redeemed<br>pursuant to<br>11 U.S.C. § 722 | Debt will be<br>reaffirmed<br>pursuant to<br>11 U.S.C. § 524(c) | Other |
|-------------------------------|--------------------|-------------------------------------|--|---|-------|
| <b>None</b>                   |                    |                                     |  |   |       |

Date: 1-12-04

Alicia Smith  
Signature of Debtor

UNITED STATES BANKRUPTCY COURT  
WESTERN District of New York

In re: **ALICIA SMITH**

Case No. \_\_\_\_\_  
Chapter **7**

Debtor

**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

|   |    |               |
|---|----|---------------|
| For legal services, I have agreed to accept           | \$ | <u>800.00</u> |
| Prior to the filing of this statement I have received | \$ | <u>800.00</u> |
| Balance Due   | \$ | <u>0</u>      |

2. The source of compensation paid to me was:

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☐ Debtor ☐ Other (specify)

4. ☐ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☒ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e) [Other provisions as needed]

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 1/12/04

  
\_\_\_\_\_  
, Bar No.

**William D. Scott**  
Attorney for Debtor(s)

## UNITED STATES BANKRUPTCY COURT

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the three chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

#### Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

#### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)


1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are eligible for chapter 13 only if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

#### Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

I, the debtor, affirm that I have read this notice.

1-12-04  
Date

  
Signature of Debtor

Case Number

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW YORK

\_\_\_\_\_x

In Re:

ALICIA SMITH

Case No.

Chapter 7

Debtor(s)


\_\_\_\_\_x

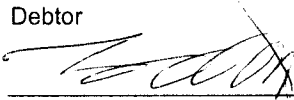
**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Dated:

1/12/04

  
\_\_\_\_\_  
Debtor

  
\_\_\_\_\_  
Attorney for Debtor



ADELPHIA  
PO BOX 371449  
PITTSBURGH PA 15250

AT&T  
PO BOX 8212  
AURORA IL 60572

DIRECT MERCHANTS BANK  
PO BOX 21550  
TULSA OK 74121

ERIE COUNTY SOC SERVICES  
NIAGARA SQ STA  
PO BOX 333  
BUFFALO NY 14201

MCI  
ATT'N:MCO AURORA  
13900 E HARVARD AVE  
STE 310  
AURORA CO 80014

NATIONAL FUEL GAS  
10 LAFAYETTE SQ  
BUFFALO NY 14203

PROVIDIAN  
PO BOX 660548  
DALLAS, TX 75266

RETAILERS  
po box 59231  
minneapolis mn 55459

SEARS PREMIER CARD  
PO BOX 182149  
COLUMBUS, OH 43218-2149

STATE OF NEW YORK  
OFC OF THE ATT'Y GENERAL  
THE CAPITOL  
ALBANY NY 12224

US DEPT OF EDUCATION  
DIRECT LOAN SVCNG CTR  
PO BOX 4609  
UTICA NY 13504

VERIZON  
ATT'N: BANKRUPTCY  
PO BOX 6360  
SYRACUSE, NY 13217

BELMONT SHELTER CORP.  
1195 MAIN ST  
BUFFALO, NY 41209

FAMILY CIRCLE - NSA  
751 SUMMA AVE  
WESTBURY, NY 11590

HCI DIRECT - RMCB  
2269 S SAWMILL RIVER RD BLDG 3  
ELMSFORD, NY 10523

NIAGARA MOHAWK POWER  
PO BOX 5300  
SYRACUSE, NY 13250